

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 818 (M/B)2003

Gunsola Hydra Power Generation

Pvt. Ltd. Kalyan Kunj,

Dehradun.

.....

Petitioner

Versus

State of Uttaranchal

and one another.

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Respondents

Mr. V.B.S. Negi, Advocate, for the petitioner

Mr. N. B. Tiwari, learned C. S. C. for the State.

Coram: Hon. S.H.Kapadia, C.J.

Hon. Rajesh Tandon, J.

Dated: 05.09.2003:

PC:

The petitioner is a Private Limited Company. The object of the company is to generate electricity through small Hydro-projects. On 26.07.2002, lease was executed between the petitioner and the District Magistrate, Tehri Garhwal. Thereafter, Nagar Palika Parishad, Tehri Garhwal issued no objection certificate allowing the petitioner to construct office and store-room. The petitioner deposited Rs. 2000/-(Rupees Two Thousand only) for no objection certificate, which has not been ultimately issued by Nagar Palika Parishad, Tehri Garhwal. However, till today despite several reminders, the Prescribed Authority-respondent no.2 has not sanctioned the plan/map of the petitioner.

We are, therefore, directing the respondent no. 2 to decide the representation of the petitioner within a period of four weeks from today. If respondent no.2 decides not to sanction the plan, he will give reasons in accordance with law.

Liberty is given to the petitioner to move this Court, if the respondent no.2 refuses to sanction the map.

Writ petition is disposed of.

(Rajesh Tandon,J.)

(S.H. Kapadia, C.J.)

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